

Dismiss and Opinion Filed November 10, 2020



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-20-00641-CV

**ARTURO HERNANDEZ AND ALICE MA, Appellants
V.
BIG D CONCRETE, INC., Appellee**

**On Appeal from the 429th Judicial District Court
Collin County, Texas
Trial Court Cause No. 429-06748-2018**

MEMORANDUM OPINION

Before Justices Whitehill, Pedersen, III, and Reichek
Opinion by Justice Pedersen, III

The docketing statement and clerk's record in this case are past due. By postcard dated June 26, 2020, we informed appellants the docketing statement in this case was due. We cautioned appellants that failure to file the docketing statement within ten days might result in the dismissal of this appeal without further notice. By letter dated September 25, 2020, we informed appellants the clerk's record had not been filed because appellants had not paid for the clerk's record. We directed appellants to provide, within ten days, (1) verification of payment or arrangements to pay for the clerk's record, or (2) written documentation that appellants had been found entitled to proceed without payment of costs. We cautioned appellants that

failure to do so would result in the dismissal of this appeal without further notice. By order dated October 8, 2020, we again notified appellants the clerk's record had not been filed and directed them to file the requested verification no later than October 19, 2020 and again cautioned them that failure to do so would be grounds for dismissal.

To date, appellants have not provided the required documentation nor otherwise corresponded with the Court regarding the status of this appeal.

Accordingly, we dismiss this appeal. See TEX. R. APP. P. 37.3(b); 42.3(b), (c).

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/Bill Pedersen, III/

BILL PEDERSEN, III
JUSTICE



**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

ARTURO HERNANDEZ AND
ALICE MA, Appellants

No. 05-20-00641-CV V.

BIG D CONCRETE, INC., Appellee

On Appeal from the 429th Judicial
District Court, Collin County, Texas
Trial Court Cause No. 429-06748-
2018.

Opinion delivered by Justice
Pedersen, III. Justices Whitehill and
Reichek participating.

In accordance with this Court's opinion of this date, this appeal is
DISMISSED.

It is **ORDERED** that appellee BIG D CONCRETE, INC. recover its costs of
this appeal from appellants ARTURO HERNANDEZ AND ALICE MA.

Judgment entered this 10th day of November, 2020.